

REMARKS

Claims 1, 34-36, 44, and 48 have been canceled without prejudice and without disclaimer. Applicants expressly reserve the right to bring the subject matter of the original claims again in a subsequent, related application. New claims 50-56 have been added.

Basis for the amendment to the specification on page 16, at line 30, can be found on page 6, lines 29-35 of parent application USSN 07/831,967, which corresponds to U.S. Patent No. 5,877,305 (U.S. Patent No. 5,877,305 was USSN 08/356,756, which was a continuation of USSN 07/831,967). The disclosure of USSN 07/831,967 is expressly incorporated by reference into the present application at page 1 of the specification. The reference numbers for the SEQ IDs have been changed relative to the parent application in order to correspond to the Sequence Listing in the present application. The corresponding text in U.S. Patent No. 5,877,305 was as follows: "The CDRs of the 520C9 antibody are set forth in the Sequence Listing as amino acid residue numbers 31 through 35, 50 through 66, 99 through 104, 157 through 167, 183 through 189, and 222 through 230 of SEQ ID NOs. 3 and 4." See, U.S. Patent No. 5,877,305, col. 4, lines 3-7. SEQ ID NOs 5 and 6 of the present application correspond to SEQ ID NOs 3 and 4 of the parent application. Accordingly, the appropriate SEQ ID NOs have been included in the present amendment.

Basis for the amendment to the specification on page 18, at line 12, can be found on page 9, line 27, through page 10, line 1 of parent application USSN 07/831,967 (U.S. Patent No. 5,877,305, col. 5, lines 29-37), the disclosure of which is incorporated by reference into the present application.

Basis for the amendment to the specification on page 46, at line 19, can be found on page 34, lines 20-27 of parent application USSN 07/831,967 (U.S. Patent No. 5,877,305, col. 16, lines 58-64), the disclosure of which is incorporated by reference into the present application. The reference numbers for the SEQ IDs have been changed

relative to the parent application in order to correspond to the Sequence Listing in the present application.

Basis for the amendment to claim 33 (CDRs for 741F8 -- amino acid residue numbers 31-37, 52-68, 101-110 of SEQ ID NO:2; and amino acid residue numbers 159-169, 185-191, 224-233 of SEQ ID NO:2) can be found throughout the specification as originally filed, for example, at the following locations: page 16, lines 27-30; and page 45, lines 6-10.

Basis for the amendment to claim 33 (CDRs for 520C9 -- amino acid residue numbers 31-35, 50-66, 99-104 of SEQ ID NO:6; and amino acid residue numbers 157-167, 183-189, 222-230 of SEQ ID NO:6) can be found at least in the amendment made to the specification on page 16, at line 30. The amendment to page 16 is information incorporated from the parent application (see above).

Basis for the amendment to claim 33 (an amino acid sequence comprising at least three complementarity determining regions (CDRs) interposed between framework regions (FRs) derived from a human immunoglobulin) can be found in now canceled claim 34 and throughout the specification as originally filed, for example, at the following locations: page 36, lines 9-23; and page 16, line 23, to page 17, line 1.

Basis for the amendment to claim 42 (now written in independent format to incorporate recitations of claim 33 from which claim 42 originally depended) can be found as described above for claim 33.

Basis for new claims 50-56, directed to recombinant aspects of the invention, can be found in canceled claim 34, as well as throughout the application at, *inter alia*, page 26, lines 3-7; page 26, lines 18-22; page 37, line 14 through page 39, line 16.

Accordingly, no new matter has been entered by way of this amendment and entry thereof is respectfully requested.

Atty Dkt No. PP0926.105
USSN: 09/558,741
PATENT



CONCLUSION

Applicant respectfully submits that the claims comply with the requirements of 35 U.S.C. §112 and define an invention that is patentable over the art. Accordingly, a Notice of Allowance is believed in order and is respectfully requested.

If the Examiner notes any further matters which the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned.

Respectfully submitted,

Date: 7/17/00

By: Roberta L. Robins

Roberta L. Robins
Registration No. 33,208
Attorney for Applicants

CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: 510-923-2708
Facsimile: 510-655-3542